

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

WAYNE SEARE, et al,
Plaintiffs,

v.

THE BANK OF NEW YORK MELLON, et al,
Defendants.

Case No. 2:16-cv-00907-JCM-CWH

ORDER

Presently before the court is Defendants' motion to strike (ECF No. 30), filed on November 10, 2016. Plaintiffs have not filed a response. Defendants moves to strike ECF No. 28, which is Plaintiffs' amended response to Defendants' motion to dismiss. Plaintiffs have already filed a response to Defendants' motion to dismiss (ECF No. 24) on October 28, 2016. ECF No. 28 is therefore a second response, or surreply.

Under Local Rule 7-2(b), surreplies are not permitted without leave of the court, and motions for leave to file a surreply are discouraged. Given that Plaintiff did not request the court's leave to file, the Court will not consider the surreply. The document will be stricken from the record. Plaintiff's may seek the court's leave to re-file the surreply.

IT IS THEREFORE ORDERED that Defendants' motion to strike (ECF No. 30) is GRANTED. The Clerk of Court must STRIKE Plaintiff's amended response (ECF No. 28).

DATED: November 15, 2016.


C.W. Hoffman, Jr.
United States Magistrate Judge